



ZONING ADMINISTRATOR
NOTICE OF DECISION

Date: September 10, 2012
Applicant: Dr. Hamid Mani, M.D.
Case No.: DRC-12-06
Address: 835 Third Avenue
Project Planner: Caroline Young

Notice is hereby given that on September 10, 2012, the Zoning Administrator considered Design Review Permit (DRC) application (DRC-12-06), filed by Dr. Hamid Mani, M.D. ("Applicant"). The Applicant requests DRC approval to construct a 10,625 sq. ft. one-story Outpatient Ambulatory Surgical Center and Eye Clinic building. The Project is located at 835 Third Avenue ("Project Site") and is owned by Alnik Associates LLC ("Property Owner"). The Project Site is zoned Urban Core Specific Plan (C-1) with a General Plan designation of Commercial Office (CO). The Project is more specifically described as follows:

The Applicant proposes to add a 10,625 sq. ft. one-story Outpatient Ambulatory Surgical Center and Eye Clinic building with associated landscaping and parking in conjunction with an existing medical office building located on the eastern portion of the site. Other site improvements include pedestrian lighting fixtures and street trees within the public right-of-way along Third Avenue, in accordance with the Urban Core Specific Plan guidelines. Enhanced landscaping will be provided throughout the site, as well as a new trash enclosure located in the southern portion of the site. No remodel will occur to the existing building on the site.

The following Project Data Table shows the development regulations along with the applicant's proposal to meet said requirements:

Assessor's Parcel Number:	573-460-61-00
Current Zoning:	Urban Core Specific Plan (C-1)
General Plan Designation:	Commercial Office (CO)
Lot Area:	2.091-acres
PARKING REQUIRED: Parking spaces, broken down as follows: 2 spaces per 1,000 square-feet Proposed Building: $10,625/500=22$ spaces Existing Building: $22,905/500=46$ spaces Total = 68	PARKING PROPOSED: Standard Spaces: 55 Compact Spaces: 9 ADA Spaces: 9 Total = 73

SETBACKS/HEIGHT REQUIRED: Front: 10 ft. min., 20-ft. max. Height: 15 ft. min., 60-ft. max.	SETBACKS/HEIGHT PROPOSED: 10 ft. 20 ft. to 25 ft. max
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Planning staff has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a categorical exemption pursuant to Section 15332 of the State CEQA Guidelines. Thus, no further environmental review is necessary.

The proposed project is consistent with the development regulations of the Chula Vista Urban Core Specific Plan (C-1 Zone), and Landscape Manual. The Zoning Administrator, under the provisions of Section 19.14.582.G of the Chula Vista Municipal Code, has conditionally approved the project subject to the following conditions:

- I. The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:

Development Services Department:

- 1 Prior to approval by the City of Chula Vista for the use of the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall execute this document by making a true copy of this letter of conditional approval and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

 Signature of Applicant/Authorized Representative

 Date

 Signature of Property Owner

 Date

2. Prior to, or in conjunction with the issuance of the first building permit, pay all applicable fees, including any unpaid balances of permit processing fees for deposit account DQ-1693.

3. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board approved by the Zoning Administrator on September 10, 2012.
4. The Applicant shall provide pedestrian street lighting along Third Avenue per the Urban Core Specific Plan. Location of light pole and detail of the light standards shall be provided on the Building Permit and Street Improvement permit.
5. A graffiti resistant treatment shall be specified for all wall and building surfaces, and noted on any building and wall plans. Additionally, the project shall conform to CVMC Section 9.20.055 regarding graffiti control. The applicant shall remove all graffiti on a regular basis. The Applicant shall place a note to this effect on the building permit plans.
6. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections, shall be shielded from view and the sound buffered from adjacent properties and streets as required by the Development Services Director. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Development Services Director.
7. All ground mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the Director of Development Services.
8. The Applicant shall obtain approval of a sign permit for each sign by the Development Services Department. Signs shall comply with all applicable requirements of the Municipal Code.

Engineering Developments Services/Landscape Architecture:

9. The Applicant shall be required to pay Engineering Fees based on the final approved building plans for the project.
 - a. Sewer Connection and Capacity Fees
 - b. Traffic Signal Fees
 - c. Public Facilities Development Impact Fees (PFDIF)
 - d. Western Transportation Development Impact Fees (WIDIF)
 - e. Other Engineering Fees as applicable per attached Master Fee Schedule.
10. The Applicant shall be required to pay additional deposits or fees in accordance with the City Subdivision Manual, and Master Fee Schedule with the submittal of the following items:
 - a. Grading Plans
 - b. Street Improvement Plans
 - c. Construction Permit

11. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with Section 18.16.220 of the Municipal Code. Also, landscaping, street furniture, or signs shall not obstruct the visibility of driver at the street intersections or driveways.
12. Proposed Fire Access Road shall meet H-20 Loading requirements or shall be designed for a Traffic Index (T.I.) of 5.
13. The Applicant shall clearly show the existing and proposed sanitary sewer lines and how the site will connect to the City's public sewage system. No sewer lines will be allowed to be located under existing or proposed buildings. Indicate whether sewer lines are private or public.
14. The Applicant shall clearly show the existing storm drain across the site. No storm drain will be allowed to be located under the existing or proposed buildings. Indicate whether the existing storm drain is public or private. If public, please show public easement location and width on the grading plans.
15. The Applicant shall be required to obtain a Land Development Permit if grading over 250 cubic yard of earthwork is proposed.
16. A Final Water Quality Technical Report (WQTR) and Drainage study shall be submitted prior to building permit approval along with a Site Plan showing that project can meet the City's Low Impact Development (LID), Source Control, Treatment Control, and Hydromodification Control BMP Requirements. The Water Quality Technical Report shall include design features, such as bio-retention facilities, and other high-efficiency BMPs per Low Impact Development (LID) requirements under current City Standard Urban Stormwater Mitigation Plan (SUSMP) standards, the City's Development Storm Water Manual, and as imposed by the current NPDES Municipal Permit adopted by the Regional Water Quality Control Board. LID principles must be incorporated into the project's design.
17. The Project shall comply with all requirements of State Water Resources Control Board (SWRCB) NPDES General Permit No. CAS000002, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity, and any subsequent re-issuances thereof. In accordance with said Permit, a Storm Water Pollution Prevention Plan (SWPPP) and a Monitoring Program Plan shall be developed and implemented concurrent with the commencement of grading activities. The SWPPP shall specify construction structural and non-structural pollution prevention measures.

18. A complete and accurate Notice-of-Intent (NOI) must be filed with the SWRCB. A copy of the acknowledgement from the SWRCB that a NOI has been received for this project shall be filed with the City of Chula Vista when received. Further, a copy of the completed NOI from the SWRCB showing the Permit Number for this project shall be filed with the City of Chula Vista when received.
19. Permanent storm water requirements, including site design, source control, treatment control, and hydromodification control Best Management Practices (BMP's), all as shown in the approved WQTR, shall be incorporated into the project design, and shall be shown on the plans. Provide sizing calculations and specifications for each BMP's. Any structural and non-structural BMP requirements that cannot be shown graphically must be either noted or stapled on the plans.
20. The Applicant is required to complete the applicable forms prior to building permit approval:
 - a. Form 5500
 - b. Form 5501(not needed if there's a WQTR for the Project)
 - c. Form 5504A (not needed if there is a SWPPP for the project, this form is needed if the Project is less than one Acre)
21. Site design shall include features to meet NPDES Municipal Permit Standards. These features shall maximize infiltration and minimize impervious land coverage while conveying storm water runoff.
22. Where feasible, storm water runoff from parking areas shall be directed to landscaped areas before discharge to storm drainage systems.
23. It is recommended that site runoff be directed to a bioretention BMP. The bioretention BMP shall be designed in accordance with criteria established in the Countywide Model SUSMP and the California Stormwater Quality Association (CASQA) Storm Water Best Management Practices Handbook, BMP # IC-32. Details of the bioretention facility shall be shown on the plan.
24. The trash enclosure area shall be covered with a solid roof or awning to avoid contamination of runoff. The site shall be graded in such a way as to prevent run-on into, and run-off from, the trash enclosure area. The location of the trash enclosure area(s) shall be shown on the plans.
25. All on-site storm drain inlets and catch basins shall be provided with permanent stenciling and signage according to City of Chula Vista Standards to prohibit illegal discharge to the storm drain system.
26. The Applicant shall enter into a Storm Water Management Facilities Maintenance Agreement to perpetually maintain private BMP's located within the project prior to issuance of any Grading or Building Permits, whichever occurs first.

27. Improvement Plans in conformance with the City's Subdivision Manual and a Construction Permit will be required prior to issuance of any Building Permits. The Improvement Plan shall include but not be limited to:
- ❑ Removal and replacement of any broken or damaged curb, gutter, and sidewalk per SDRSD G-2, and G-7 along the project's frontage to the satisfaction of the City Engineer. Sidewalk shall be designed and constructed with proper transitions to existing conditions.
 - ❑ Additional asphalt paving for the replacement of the existing curb, gutter and sidewalk.
 - ❑ Removal and replacement of existing driveways meeting design standards as shown in Chula Vista Construction Standard. Current Driveways shall be replaced, if it does not meet the City of Chula Vista Design Standards/ADA Standards, or if existing driveway is cracked or broken. Dedication of R/W as needed in order for driveway to comply with (American Disability Act) ADA requirements.
 - ❑ Removal and replacement of existing pedestrian ramp per Chula Vista Construction Standard CVCS-25. Current pedestrian ramp shall be replaced, if it does not meet the City of Chula Vista Design Standards/ADA Standards, or if existing pedestrian ramp is cracked or broken.
 - ❑ Relocation of a 100-watt City standard street light per CVCS-6, 7, 9, & 11 at the project property line along. The City Traffic Engineer shall approve street light location.
 - ❑ Street widening with installation of full half width street improvements on Third Avenue including curb, gutter, sidewalk, driveway approaches, AC paving, ADA pedestrian ramp and street lights per Chula Vista Design Standards.
 - ❑ Installation of curb, gutter, and sidewalk per SDRSD G-3 along the project's frontage. Sidewalk shall be designed and constructed with proper transitions to existing conditions
 - ❑ Installation of two driveways meeting design standards as shown in Chula Vista standard detail. Dedication of R/W as needed in order for driveway to comply with American Disability Act (ADA) requirements.
 - ❑ Installation of pedestrian ramp per Chula Vista Construction Standard CVCS-25.
 - ❑ Widen Third Avenue by 7-feet with transitions to existing improvements to the satisfaction of the City Engineer. Transitions to existing street improvements along shall include, but not be limited to monolithic curb, gutter and an 8-foot sidewalk per SDRSD G-3, and G-7, asphalt concrete paving, processed miscellaneous base, drainage facilities, street trees, and asphalt pavement needed to feather into existing pavement as required by the City Engineer.
 - ❑ Construction of pedestrian lights and any street improvements as required by the Planning Section.

28. The Public Works Operations Section will need to inspect any existing sewer laterals and connections that are to be used by the new development. Laterals and connections may need replacement as a result of this inspection.
29. The onsite sewer and storm drain system shall be private. All sewer laterals and storm drains shall be privately maintained from each building unit to the City-maintained public facilities.
30. All proposed sidewalks, walkways, pedestrian ramps, and disabled parking shall be designed to meet the City of Chula Vista Design Standards, ADA Standards, and Title 24 standards, as applicable.
31. Any private facilities within Public right-of-way or City easement will require an Encroachment Permit prior to Improvement Plan or Building Permit approval.
32. A construction permit for all work within the public right of way will be required to be approved by the City Engineer. Per the Urban Core requirements, the installation of pedestrian lights, street trees, and tree grates within the right of way is required. Details of the pedestrian lighting shall match the Third Avenue Streetscape Design. Street trees along Third Avenue should match the existing Third Avenue street trees. Additional details such as irrigation for street trees, tree grate information and details, electrical for pedestrian lights and details shall also be provided on the construction permit.

Fire Department

33. The Project will require a fire flow of 1,750 gallons per minute for a 2-hour duration (at 20psi).
34. The Applicant shall provide a water flow letter from the applicable water agency having jurisdiction indicating that the above mentioned fire flow is available to serve this project.
35. The Applicant shall provide a water supply analysis (technical report) to the Chula Vista Fire Department for review and approval. This report shall be a node to node analysis using the Hazen-Williams formula. The analysis shall show that the required fire flow is available at the hydrants and that simultaneously, the sprinkler demand is available at the most demand sprinkler riser.
36. Fire Hydrants shall be located not greater than 300 feet apart. Prior to building permit approval, the Applicant shall show closest fire hydrant on the building permit plans. Based upon the minimum required fire flow, hydrant spacing minimum of three (3) hydrants are required to serve this project.

37. Prior to building permit approval, the Applicant shall provide a minimum of 20 feet fire lane and access on the building permit plans.
38. The building shall be provided with two Knox appliances.
 - Provide a Knox Vault at the main entrance to the building
 - Provide a Knox Box at the Fire control Room
39. The building shall be addressed in accordance with the following criteria:
 - 0 – 50 feet from the building to the face of the curb = 6-inches in height with a 1-inch stroke
 - 51 – 150 feet from the building to the face of the curb = 10-inches in height with a 1 ½ -inch stroke
 - 151 feet from the building to the face of the curb = 16-inches in height with a 2-inch stroke
40. Prior to building permit approval, the Applicant shall provide a fire control room on the plans. A deferred submittal for the sprinklers will be required and submitted to the Fire Department for approval.
41. The Applicant shall provide one fire extinguisher for every 3000 square feet and 75 feet of travel in any direction.

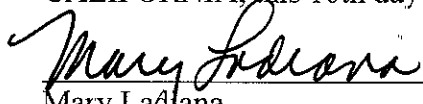
II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-12-06, date stamped on July 16, 2012, which include site plan and architectural elevations on file in the Development Planning Division, the conditions contained herein, and Title 19.
2. All landscaping and hardscape improvements shall be installed and maintained in accordance with the approved landscape plan.
3. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
4. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this permit

where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this permit and shall be binding on any and all of Applicant/Operator's successors and assigns

5. This Design Review Permit shall become void and ineffective if not utilized within thirty-six (36) months from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code, unless an extension application is submitted within 30-days of the expiration date of September 10, 2015.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 10th day of September 2012.



Mary Ladana
Zoning Administrator